HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION Nos.16354 and 19005 of 2006

Dated: 26-09-2006

W.P.No.16354 of 2006:

Between:

B. Rishindra Babu

… Petitioner/s

and

The Vice-Chancellor,
Dr. N.T.R. University of Health Sciences,
Vijayawada, Krishna District and others.

…Respondent/s

W.P.No.19005 of 2006:

Between:

V. Sri Sai Lakshmi Prethi

… Petitioner/s

and

Dr. N.T.R. University of Health Sciences,
Rep.by its Vice-Chancellor,
Vijayawada, Krishna District and others.

…Respondent/s

HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION Nos.16354 and 19005 of 2006

COMMON ORDER :

In these two writ petitions, the petitioners have questioned the admission of respondents 7, 8 and 9 in W.P.No.16354 of 2006 and respondent No.7 in W.P.No.19005 of 2006, into the First Year MBBS Course for the current academic year 2006-07. The petitioners as well as the unofficial respondents herein, whose admissions are questioned, have claimed reservation in the quota reserved for Sports personnel. As per the Rules framed in the Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) Act, 1983, the first respondent – University, after receipt of the applications of the candidates claiming reservation in the quota reserved for Sports personnel, has forwarded the said list to the Sports Authority of Andhra Pradesh for preparing the list as per the priorities notified in G.O.Ms.No.20, dated 3-5-2006. The list of priorities was prepared by the Sports Authority of Andhra Pradesh and the petitioners in the writ petitions were placed below the unofficial respondents herein.

It is the case of the petitioners that the said list was prepared by the Sports Authority of Andhra Pradesh, without verifying the claim of

the candidates in proper perspective, particularly that of the unofficial respondents herein.

After service of notice, the unofficial respondents have made their appearance and when the matter is taken up for hearing, they have filed their affidavits stating that they withdrew their admission in the said course for various reasons. It is also stated in the said affidavits that they have addressed letters to the Principals of the Medical Colleges concerned.

The very admission of the unofficial respondents, whose admissions are questioned in the present writ petitions, are withdrawn by the candidates themselves. Though several contentions are raised in the writ petitions with regard to the genuineness of the claims of the candidates, but however, as all the unofficial respondents herein have withdrawn their admission into First Year MBBS Course, I dispose of the writ petitions declaring the admission of respondents 7, 8 and 9 in W.P.No.16354 of 2006 and respondent No.7 in W.P.No.19005 of 2006 into the First Year MBBS Course for the current academic year 2006-07, as cancelled. Consequently, I direct the fourth respondent – Sports Authority of Andhra Pradesh to prepare a fresh priority list forthwith by deleting the names of the unofficial respondents herein and send the same to the first respondent – University.

Though it is stated by the learned standing counsel for the first respondent – University that the second phase of counselling is also over, but however, as the unofficial respondents have already withdrawn their admission into the I Year MBBS Course and as the petitioners in the writ petitions are claiming next in the priority list and are entitled to admission into First Year MBBS Course during the

current academic year 2006-07, I direct the first respondent – University to fix up a date for counselling, as per the revised priority list to be sent by the Sports Authority of Andhra Pradesh and consider the cases of the petitioners for
admission into First Year MBBS Course for the current academic year 2006-07, having due regard to their priority and also the ranking secured by them, as per the rules.

The writ petitions are accordingly disposed of with the above direction. There shall be no order as to costs.

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(R. SUBHASH REDDY,J)

26-09-2006.

NOTE:

1. Registry is directed to dispatch
   a copy of the order to the Principals
   of the respective Medical Colleges viz.,
   (1) Gandhi Medical College, Padmarao Nagar,
   Hyderabad (2) S.V.S. Medical College,
   Yenugonda, Mahabubnagar; and
   (3) Siddhartha Medical College, Vijayawada.

2. Issue C.C. by 27-09-2006.

(B/O)
Msr.

HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION Nos.16354 and 19005 of 2006

26-09-2006
(Msr)